

Remarks

Claims 1 – 7, 9 – 17, 19, 33 – 40, 42 – 46, and 101 – 102 are pending, of which claims 21 – 32 and 47 – 100 have been withdrawn from consideration.

In the Office Action mailed 25 January 2008, Claims 1 – 7, 9 – 17, 19, 33 – 40, 42 – 46, and 101 – 102 are subject to a requirement to elect between two species alleged to be disclosed in Figures 1 – 5 or in Figures 8 – 11.

Applicant respectfully requests clarification from the Examiner regarding this latest requirement.

Namely, this application has already been subject to an election requirement, and it is not clear if the previous requirement is withdrawn. If the previous requirement is still applicable, it is unclear how, at this point, Applicant can elect anything other than the newly-defined "Species 1" of the 25 January 2008 Office Action.

Specifically, in an Office Action mailed December 19, 2006, the previous Examiner required election between several inventions and two Species. The inventions were defined as:

<u>Invention</u>	<u>Claims</u>
I	1 – 20
II	21 – 32
III	47 – 59
IV	60 – 85
V	86 – 100

The Species were in the December 19, 2006 Office Action were defined as Figures 1 – 7B (Species I) and Figures 8 -12 (Species II). As noted in ¶0087 of the specification, Figures 8 – 12 depict an endeffector for handling wafers at elevated temperatures.

In his response Applicant elected to prosecute Species I/Invention I without traverse. Accordingly, claims 1-20 and 33-46 were elected and claims 21-32 and 47-100 were withdrawn from consideration.

It is therefore unclear which claims can properly be elected at this point. Are Species 1 and 2 as presently defined in the 25 January 2008 Office Action sub-species of Species I or are they an entirely new distinction? Additionally, the 25 January 2008 Office Action does not address Figures 6 – 7 or Figure 12.

Applicant further notes that claims 1 – 20 and 33 – 46 have already been examined on the merits. Further, the Amendment mailed 13 November, 2007 did not go beyond the boundaries of the Species Election and Restriction requirements.

Specifically, in the 13 November 2007 Amendment, Claim 1 was amended to include the limitations of claim 8, which was indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 18, which was also indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, was been cancelled and rewritten in independent form as claim 100. Claim 20, which was also indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, was been cancelled and rewritten in independent form as new claim 101. Claim 33 was amended to include the limitations of claim 41, which was indicated as allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Thus, it is not at all clear how the presently-pending claims, which now all incorporate subject matter previously indicated by the Office to be allowable, present an examination and search burden.

Since a complete reply to a Species Election requirement must include a provisional election, Applicant provisionally elects the newly-defined Species I, wafer blades with a plurality of pins on the blade.

Applicant believes currently-pending claims 1 and 102 are each generic to the newly-defined species, since neither claim excludes pins on the blade or excludes an angled support member. Further, independent claims 33 and 100 each recite “a plurality of emergency pins.” Thus, and in light of the uncertainty regarding what election is even possible in this instance, no additional claims are yet withdrawn.

For the reasons above, Applicant respectfully requests reconsideration of the 25 January 2008 Species Election Requirement.

Applicant’s representative requests that Examiner Chin telephone the undersigned should the Species Election Requirement be maintained in order to resolve this matter.

Please charge any additional fees required by this Response to Deposit Account
No. 04-1403.

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Date

Respectfully submitted,
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